

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

<b>IN RE PHARMACEUTICAL INDUSTRY</b>	)	
<b>AVERAGE WHOLESALE PRICE</b>	)	<b>MDL NO. 1456</b>
<b>LITIGATION</b>	)	
	)	<b>ACTION: 01-CV-12257-PBS</b>
	)	
	)	<b>JUDGE PATTI B. SARIS</b>
<b>THIS DOCUMENT RELATES TO:</b>	)	
	)	
<b>THE MASTER CONSOLIDATED</b>	)	
<b>CLASS ACTION</b>	)	

**NOTICE OF BOEHRINGER INGELHEIM CORPORATION'S, BEN VENUE LABORATORIES, INC.'S AND BEDFORD LABORATORIES' INTENT TO FILE A RESPONSE TO NATIONAL AUTOMATIC SPRINKLER INDUSTRY WELFARE FUND'S MOTION TO INTERVENE AS NAMED PLAINTIFF**

On April 27, 2004, National Automatic Sprinkler Industry Welfare Fund ("NASIW") filed and served a motion to intervene as a named plaintiff in the above-captioned action.

Defendants Boehringer Ingelheim Corporation, Ben Venue Laboratories, Inc., and Bedford Laboratories respectfully file this notice that they intend to respond to NASIW's motion to intervene within the time period permitted by Local Rule 7.1.

Dated: April 28, 2004

Respectfully submitted,

/s/ Darrell A.H. Miller [signature on file with Court]

Paul J. Coval

Douglas L. Rogers

Darrell A. H. Miller

VORYS, SATTER, SEYMOUR AND PEASE LLP

52 East Gay Street

P.O. Box 1008

Columbus, Ohio 43216

(614) 464-6400

(614) 464-6350 FAX

*Attorneys for Boehringer Ingelheim Corp., Ben Venue Laboratories, Inc./Bedford Laboratories*

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing document was served on all enrolled counsel via Verilaw on April 28, 2004 pursuant to this Court's Case Management Order 2.

/s/ Darrell A.H. Miller [signature on file with Court]  
Darrell A.H. Miller